



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,550	09/26/2005	Yasumasa Nonoyama	Q89953	1896
23373 7590 11/30/2009 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
LOUIE, WAE LENNY				
ART UNIT		PAPER NUMBER		
3661				
NOTIFICATION DATE		DELIVERY MODE		
11/30/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

Office Action Summary

Application No.

10/550,550

Applicant(s)

NONOYAMA ET AL.

Examiner

WAE LOUIE

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-30 and 32-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-30 and 32-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21-30, 32-39 rejected under 35 U.S.C. 103(a) as being unpatentable over Lahn (6,925,382) in view of Sawai (Yamaguchi) et al (JP 10042282A; also known as Sawai et al. Derwent 1998-186339)

Regarding applicant claims 21-22, 29-30, Lahn discloses an image apparatus of image processing method and displaying shot image of the ground surface taken with photographic equipment that is mounted on an airframe in the air (Lahn: column 4, lines 27-31) the method comprising: detecting (Lahn: column 6, lines 25-40), three dimensionally, photographic position of the video camera (Lahn: column 4, lines 53-60: "sensor pointing angle") in the air (Lahn: column 4, lines 27-32); computing a photographic range of the ground surface to be photographed based on the photographic position detected (Lahn: column 5, lines 30-40); transforming the video picture taken by the camera to conform to the photographic range (Lahn: column 5, lines 15-20); and displaying the video picture (Lahn: column 5, lines 25-31) so transformed, superimposed on a map of a geographic information system (Lahn: column 6, lines 10-20; column 5, lines 14-17: "mosaicing").

Lahn is silent concerning wherein landmarks are extracted from map and corresponding landmarks are compared whereby a parameter for use in computing a photographic area of the ground surface having been shot is compensated and a shot image is displayed being superposed with high precision on said map of the geographic information system.

Sawai teaches a video presentation system which shows map information superimposed. Sawai teaches the system includes a camera mounted in an aircraft, an imaging video and photograph of a land, e.g. site damaged by earthquake is taken with the camera from the helicopter above the site... The perspective conversion of the stored three-dimensional map data is carried out with a CG unit (35) based on the imaging conditions in order to obtain a CG map image data (abstract-translated). It would have been obvious to one of ordinary skill in the art to combine the landmarks extracted from Sawai to superpose to the map as described by Lahn since the images collected by Sawai is common feature and combination is motivated by the need to recognize site damage by an earthquake.

Regarding claims 23, Lahn discloses wherein the plurality of video pictures area superimposed on a map are connected by overlapping parts of the video pictures (Lahn: column 5, lines 15-20), as in the claim.

Regarding claims 24, Lahn discloses wherein the successively taken video pictures are sampled in a predetermined cycle (Lahn: column 4, lines 20-25: "LOS slew device"), as in the claim.

Regarding claims 25-27, 33-34, Lahn discloses that the photographic range is computed based upon inclination and rotation angles of the video camera with respect to the ground surface (Lahn: column 4, lines 25-35: LOS sensor coupled with the aircraft pitch, yaw, and roll), as in the claims.

Regarding claim 28, Lahn discloses utilizing three-dimensional topographic data, including altitude information regarding the ups and downs of the ground (Lahn: column 4, lines 65-67; column 5, lines 1-5), as in the claim.

Regarding claim 32, Lahn discloses image display method wherein landmarks are extracted from a map of said geographic information system and said shot image respectively, and the corresponding landmarks are compared whereby a parameter for use in computing a photographic area of the ground surface having been shot is compensated and a shot image is displayed being superposed with high precision on a map of the geographic information system (column 3, lines 40-65, "identify potential objects of interest; (Lahn: column 4, lines 53-60: "predetermined area of interest")

Regarding claims 33-35, 39, Lahn discloses that the photographic range is computed based upon inclination and rotation angles of the video camera with respect to the ground surface (Lahn: column 4, lines 25-35: LOS sensor coupled with the aircraft pitch, yaw, and roll), as in the claims.

Regarding claims 36-37, Lahn discloses the image display method wherein an average value of parameter compensation values between 2 points of each landmark is used in the case of not less than 3 landmarks having been

Art Unit: 3661

extracted and a photographic area of the ground surface having been shot is computed (col.5, lines 8-30, Fig. 3 "image processing architecture... eliminate unwanted clutter objects from consideration, and identify potential targets of interest for operator consideration.")

Regarding claims 38, Lahn discloses wherein the plurality of video pictures area superimposed on a map are connected by overlapping parts of the video pictures (Lahn: column 5, lines 15-20), as in the claim.

Response to Amendment

Applicant's arguments filed 07/14/2009 have been fully considered but they are not persuasive. Applicant addressed the office action by amending independent claims 21, 22, 29, 30. Applicant's arguments with respect to claim 21-31, 33-39 have been considered but are moot in view of the new ground(s) of rejection. Claims 21-30, 32-39 rejected under 35 U.S.C. 103(a) as being unpatentable over Lahn (6,925,382) in view of Sawai (Yamaguchi) et al (JP 10042282A; Derwent 1998-186339).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is

Art Unit: 3661

filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WAE LOUIE whose telephone number is (571)272-5195. The examiner can normally be reached on M-F 0700-1530.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Wae Louie/
Examiner, Art Unit 3661

/Thomas G. Black/
Supervisory Patent Examiner, Art Unit 3661